

Message

---

**From:** Conrad, Daniel [conrad.daniel@epa.gov]  
**Sent:** 1/13/2021 10:57:55 PM  
**To:** Dennis, Allison [Dennis.Allison@epa.gov]  
**CC:** Cole, Joseph E. [cole.josephe@epa.gov]; Fischer, David [Fischer.David@epa.gov]; Dunn, Alexandra [dunn.alexandra@epa.gov]; Tyler, Tom [Tyler.Tom@epa.gov]; Keigwin, Richard [Keigwin.Richard@epa.gov]  
**Subject:** Re: For Joe/Alex/David Review; ChemWatch; Fluoride case; DDL: COB Today

## Ex. 5 Deliberative Process (DP)

-Dan

On Jan 13, 2021, at 5:51 PM, Dennis, Allison <Dennis.Allison@epa.gov> wrote:

Terry's asked:

- 1) So, my main question is whether EPA expects to rule on the petition before the inauguration on Jan. 20? (The 90-day deadline for a decision is Feb. 2)
- 2) Any general comment on the ruling and the court's decision to deny the agency's full request for an outright dismissal?

Proposed response

## Ex. 5 Deliberative Process (DP)

Statement:

## Ex. 5 Deliberative Process (DP)

**From:** Terry Hyland <terry.hyland@chemicalwatch.com>  
**Sent:** Wednesday, January 13, 2021 2:16 PM  
**To:** Labbe, Ken <Labbe.Ken@epa.gov>; Press <Press@epa.gov>  
**Subject:** Media Inquiry: Ruling in Food & Water Watch v EPA

Hi Ken,

Does EPA have any comment in response to the ruling today (see attached) from the US District Court for the Northern District of California, denying in part EPA's request to dismiss the water fluoridation case filed by Food & Water Watch and other groups?

Rather than dismiss the case outright, as EPA had sought, it sounds like the court will give the plaintiffs the option to amend their complaint if EPA ultimately denies their amended petition seeking a TSCA rule to limit fluoridation of drinking water - filed in early November.

So, my main question is whether EPA expects to rule on the petition before the inauguration on Jan. 20? (The 90-day deadline for a decision is Feb. 2)

Also, any general comment on the ruling and the court's decision to deny the agency's full request for an outright dismissal?

Deadline is end of the day today. Thanks!

Terry Hyland  
Managing Editor, North America

+1 (202) 907 5265 (mobile)  
+44(0)1743 818 101 (head office)  
[chemicalwatch.com](http://chemicalwatch.com)

<~WRD1291.jpg>

<~WRD1291.jpg>

<~WRD1291.jpg>

<~WRD1291.jpg>

<Food Water Watch v EPA - Order denying in part EPA motion for relief.pdf>